For Some Years Secretary of The Sun Publishing Company and its Counsel age of 61.

Franklin Bartlett in his practice, which Franklin Bartlett in his practice, which

was a communicant and which he attended many years. The service will be conducted by the rector, the Rev. Dr. Henry Mottet. Among the pallbearers will be Frederick Newbold Lawrence, president of the Union Club; John M. Bowers, Thomas Clarke of the Brook Club, Col. Henry May of Washington and John McL. Nash.

Justice Almet F. Jenks was presiding over the Appellate Division of the Su-preme Court in Brooklyn yesterday when the news of the death of Col. Bart-Mr. Auerbach said to the Court:

"I have learned of the death of Col.
Franklin Bartlett, known to many of us
not only as a lawyer and citizen of distinction but as a friend. He represents not only as a lawyer and citizen of distinction but as a friend. He represented the best traditions of his profession and of life. He was a trained and distinguished lawyer, a fine citizen and a good friend, doing whatever fell to his lot in life and much did fall to his lot—creditably and conspicuously well. I make these remarks in the confidence that the court will welcome the motion to enter upon the minutes an appropriate memorupon the minutes an appropriate memorandum of the regard we entertained for his worth and our sense of regret and loss for his death."

Henry W. Taft, addressing the court, had this to say of Col. Bartlett:

"I had the great and exceptional pleasure of having been associated with Col. Bartlett for many months when we were members of the Charter Revision Committee. I came then to have a high re-

According to the came of an old and distinguished family and one of great legal reputation.

He maintained that reputation and even enhanced it. Some of us were associated for a long time with Judge Willard Bartlett, the brother of Col. Bartlett, and well understood the warm affection between the two, which was never abated as a volunteer body during the Spanish ear one was the lawyer and the two when one was the lawyer and the other the Judge, when, as any one who knew them well knew, they were as strangers.

Caundaled to test to the utmost the ability of the instructor.

On July 2, 1896, he was elected Colonel of the Twenty-second to succeed Col. Camp. The vote was unanimous, Lieut.

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Camp. The vote was unanimous, Lieut.

Col. King withdrawing in Major Bartlett's favor. He had command of the regiment as a volunteer body during the Spanish erryboat Richmond while she was nearing her slip at the foot of Whitheall street.

Mr. Quigley was on his way from his home in Staten Island to get the news of the Cunarder Livistania in from Liverpool and Queens-

ford, later of the United States Supreme Court, and the discussion involved the right of the citizen to be protected from transportation to the District of Columbia for trial for an alleged offence of libel in the publication of a newspaper article in this city. After an able argument by Mr. Bartlett for Mr. Dana, Mr. Dana was discharged. William Osborne Bartlett died suddenly of heart disease in 1881, at the age of 61.

Municipal Law—Tributes in Court.

Col. Franklin Bartlett, one of the best known lawyers of New York City and for many years secretary of the Union Club, secretary of THE Sus Printing and Publishing Association and an authority on National Guard afairs, died at 3:15 o'clock yesterday morning at his home. 28 West Twentieth street.

Col. Bartlett had been ill of carcinoma of the liver since last November. The filmess developed after he returned from a trip to Europe, where he went in June last year, returning in October. Since November Col. Bartlett had been confined almost entirely to his home. Last January the illness took an alarming turn and from that time the Colonel's condition grew worse rapidly.

There were present at his bedside when he died the members of his immediate family. Mrs. Franklin Bartlett and the two children, William O. Bartlett had been confined almost entirely to his home. Last family, Mrs. Franklin Bartlett and the two children, William O. Bartlett shad been confined almost entirely to his home. Last family, Mrs. Franklin Bartlett and the two children, William O. Bartlett and the two children will be at 10 o'clock next Monday morning at the Church or the Holy Communion, at Sixth ayenue and Twentieth street, where Col. Bartlett of the court of Appeals, Col. Bartlett's elder brother.

The funeral will be at 10 o'clock next Monday morning at the Church or the holy Communion, at Sixth ayenue and Twentieth street, where Col. Bartlett was a communicant and which he attended many years. The service wil Municipal Law—Tributes in Court. grew very rapidly, until in a comparatively few years he became eminent at the New

speaking was the most important feature of a banquet.

Col. Bartlett became interested in mili-

of New York on April 4, 1884, and maintained an active connection with it until September, 1905. He was First Lieutenant of Company G. Ninth Regiment, until December 4, 1888, when he was elected Captain of Company D. Twenty-second Regiment. In March, 1891, he became junior Major of the regiment. A few months after his election as Major the Twenty-second went to the State camp. members of the Charter Revision Committee. I came then to have a high respect for his character, admiration for his intellectual equipment and love for his gentlemanly and interesting personality. No one can supply the peculiar place which he occupied in the command of the regiment devolved in the command of the regiment. A few months after his election as Major the Twenty-second went to the State camp for a tour of duity. One day Col. Camp and the Lieutenant-Colonel were ill and the command of the regiment. A few months after his election as Major the Twenty-second went to the State camp for a tour of duity. One day Col. Camp and the Lieutenant-Colonel were ill and the command of the regiment. A few months after his election as Major the Twenty-second went to the State camp for a tour of duity. One day Col. Camp and the Lieutenant-Colonel were ill and the command of the regiment devolved in the command of the regiment devolved in the command of the regiment. A few months after the free silver controversies. The demontiation of silver he called "the free silver controversies. The demontiation of silver he regiment devolved in the command of the regiment devolved in the free silver controversies. The demontiation of silver he regiment devolved in the free silver controversies. The demontiation of silver he regiment devolved in the free silver controversies. The demontiation of silver he regiment devolved in the free silver controversies. The demontiation of silver he regiment devolved in the free silver controversies. The for his efficiency, one observer commentation of silver he

Bessie Stewart Hooker of Washington ROOT ON INTERNATIONAL LAW Payson of the Paymaster's Department of the army, stationed at Atlanta, Ga. Funeral services will be held on Sunday.

William M. Stewart, who represented Nevada in the Senate for twenty-nine years, was one of the most picturesque of the Westerners who grew up with the country. In the eighty-three-years of

to inquire into the expediency of consolidating Greater New York. The bill passed in 1891, referring the matter to the voters of the cities and towns in volved, was based on the report of this commission.

The national Democratic committee retained him, together with Senator Roscoe Conking, to watch the canvass in the close contest in this State in the Presidential campaign of 1884, in which Mr. Cleveland defeated Mr. Blaine by a very narrow plurality secured in the State of New York. He represented the very narrow plurality secured in the State of New York. He represented the active contestants in the celebrated Hamar as counsel for Tite Sun, and some years ago became the secretary of The Sun Printing and Publishing Association.

Col. Bartlett was a firm believer in the right and utility of trial by jury, and held to the view that lawyers of his generation were too prone to depreciate and neglect the advocate's branch of the profession. He was an exceedingly, forceful and convincing speaker, with a pleasant turn for the lighter fields of oratory. He became known as a witty and brilliant after dinner speaker and was in great demand among associations and institutions which held that a fine quality of after dinner speaking was the most important feature of a hanquiet.

Mrs. Lincoln. It is the kind of an engage-ment I never break. Come with your friend sovereign will.

His best known achievement as Senator

and the control of th

ARBITRATION NOT COMPUL-SORY ON ANY NATION.

Where Questions Arise Out of Wrongs by One Government Against a Citizen of Another One Sovereignty Is Confronted by Another Equally Supreme

WASHINGTON, April 23.-The American Society of International Law began its third annual session here to-day. Senator Elihu Root, president of the society delivered the opening address. His subject was "The Relations Between International Tribunals of Arbitration and the Jurisdiction of National Courts." He said in part:

"The growing tendency toward international arbitration brings into special consideration and importance the relation between the jurisdiction of national courts of justice and international tribunals of arbitration.

"When one nation urges claims in behalf of its citizens upon the Government of another nation and proposes arbitration how far does that other nation's respect for its own independent sovereignty and for the integrity of its own judicial system require it to insist that the claims be submitted for final decision

to its own national courts? The true basis for the consideration

actions to pay or not to pay, to redress injury or not to redress it, at the will of the sovereign, subject only to the necessary conditions created by the existence of other equally independent States. So far as questions arise out of contract, Alexander Hamilton states the strongest view of national freedom from restraint in a passage often quoted in recent years:

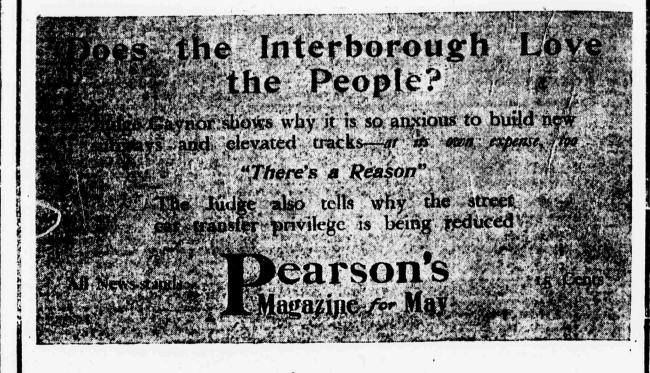
Contracts between a nation and private individuals are obligatory, according to the conscience of the sovereign, and may not be the object of compelling force. They confer no right of action contrary to the

"So far as questions arise out of alleged wrongs by one Government against a citizen of another the sovereignty of Col. Bartlett became interested in military affairs when he was in college. He became a member of the National Guard of New York on April 4, 1884, and maintained an active connection with it until September, 1905. He was First Lieutenant of Company G. Ninth Regiment, until December 4, 1888, when he was elected Captain of Company D, Twenty-second Regiment. In March, 1891, he became in the declined, and in 1875 retired to look after his business and mining junior Major of the regiment. A few months after his election as Major the there exists the right of adverse action, which involves no impeachment of independent sovereignty, but follows necessarily from the contact of two independent powers. Whatever modifications international lawyers urge to the broad statement of doctrine to which Dr. Calvo has given his name, so ably enforced by his successor, D. Prago, there is no effective dispute regarding the foundation of his main proposition regarding the essential nature of sovereignty.

"The chief principle entering into this standard of conduct is that every sovereign nation is willing at all times and under all circumstances to do what is

under all circumstances to do what is just. That is the universal postulate of all modern diplomatic discussion. No nation would for a moment permit its tion which this willingness implies is no impeachment of sovereignty. It is voluntarily assumed as an incident to the exercise of sovereignty because it is essential to a continuance of the conditions under which the independence of sovereignty is possible. This obligation is by universal consent interpreted according to established and accepted rules as to what constitutes justice under certain known and frequently recurring conditions; and these accepted rules we call international law. No demand can

This card was refused as an advertisement in the cars of the Subway and Elevated Railroads:



A protest has been entered with the Public Service Commission in the hope that it may find out.

own conformity to the standard in this own conformity to the standard in this ing an operation for appendicitis. He is a one of the most popular officials who tion which this willingness implies is no had ever held office in Westchester in the conformation of sovereignty. It is vol-

almshouse and succeeded in putting affairs there on a business basis. He was next elected County Superintendent John Hays Hammond, the mining en-

SHERIFF CHAS. M. LANE DEAD. of Poor to fill the unexpired term of Henry gineer, which was dismissed by Justice Westchester County Official Expires After
Operation for Appendicitis.

White Plains, April 23.—Sheriff Charles
M. Lane died at his home in Pleasantville at 7:40 o'clock this morning following an operation for appendicitis. He was one of the most popular officials who had ever held office in Westchester county.

Mr. Lane was 47 years old and was born at Pleasantville in the town of Mount Pleasant. Although his town was for day afternoon at the home in Pleasantville.

REOPENS HAMMOND LIBEL SUIT.

Scudder in the Supreme Court in Brooklyn without going to the jury, was reopened yesterday by a decision of the Appellate Division. Justice Gaynor in writing the opinion says that Justice Scudder's action was falsely based on the absolute privilege of the defendant. whereas the privilege was qualified. The alleged libel occurs in a telegram

said to have been sent by Hammond to Samuel Clemens (Mark Twain) in which Hammond said that he would oppose Ashcroft's taking office as manager of the Plasmon Company because of his association with Cook and Wright; that Ashcroft was incompetent or worse, and that Mark Twain had been imposed upon.

Mr. Clemens, who was a stockholder Ralph W. Ashcroft's libel suit against mond requesting him to let the newly



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Branch ticket offices open 8.00 a.m. to 6.00 p.m. at the following places: NEW YORK: 149, 245, 415 and 1916 Broadway, 225 Fifth Avenue and 121 West 125th Street. BROOKLYN: 338 and 796 Fulton Street and

Railroad and Pullman tickets can be secured at any of these offices, or will be delivered upon request by special representative, who will furnish any information desired. Address L. F. Vosburgh, 1216 Broadway.

'Phone, 6310 Madison.

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